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EXAMINER

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2176

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Please find below and/or attached an Office communication concerning this application or proceeding.



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/726,797
Filing Date: November 30, 2000
Appellant(s): ALSAFADI ET AL.

MAILED
JUN 01 2006
Technology Center 2100

Yuri Kateshov
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 03/17/2006 appealing from the Office action mailed 09/27/2005.

1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US006430624B1	Jamtgaard et al.	filed 02/14/2000
US006704024B2	Robotham et al.	filed 11/29/2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable by Jamtgaard et al. US006430624B1 - filed 02/14/2000 (hereinafter Jamtgaard '624), in view of Robotham et al. US006704024B2 filed 11/29/2000 (hereinafter Robotham '024).

In regard to independent claim 1, determining a content profile associated with the device (as taught by Jamtgaard '624 at col. 4, line 59 through col. 5, line 5, i.e.... from an Internet content provider's web site in various forms, such as HTML data, XML data, or raw data feeds and then re-deliver it, via the translation server 12 and through a telecommunications system item 14, such as, a wireless carrier base station that uses a typical communications format such as CDPD, to information appliances 15 in a format that is completely customized to the end user's device type and browsing capabilities. Thus, the content delivery system and method may generate and output WML, HDML, and tiny HTML, compact HTML, HTML or XML data that is compatible with the particular information appliance 15. The information appliances 15 may be any type of device including WAP compliant cell phones, Windows CE devices, Palm OS devices, and any other HTML browser based devices...),

generating a conditioned document by applying the content profile to a requested document containing content for presentation at the device (as taught by Jamtgaard '624 at col. 2 lines 50-65, i.e.... permits content to be input into the system in a variety of different formatting languages. In addition, the system permits the formatted content to be output in any mark-up language and protocol, such as WML, HTML, HDML, XML, etc. Advantageously, each display page on the device may be customized.... for display on the devices according to the input/output format, such as the display screen size parameters of the devices... In more detail, the method for content delivery may include intelligently harvesting content from a web page to provide that content to a plurality of different information appliances having different screen sizes...),

determining a stylesheet associated with the device; and applying the Stylesheet to the conditioned document to generate an output suitable for presentation at the device (as taught by Jamtgaard '624 at col. 6, lines 35-50, i.e.... XSL rules used by the XML engine 46 for converting XHTML pages into RML (Relational Markup Language), one or more URL Ids and various device information. In accordance with the invention, each XSL rule may be indexed in the database based on an ID (the ID may contain a URL, a name/value pair and cookie information) so that the system may determine which rule applies to which incoming URL; The device information is used by the layout engine (item 42) in order to convert the RML data into one or more cards in a deck that may be displayed on the particular device. ...);

Jamtgaard '624 does not explicitly teach, **the content profile including at least one operation and parameter for conditioning data on the device**, however (Robotham '024 at col. 12, lines 49-67, discloses a method and system for rendering and transforming visual content

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on a server system based on the display attributes of a client device, and transmitting the transformed visual content for display on a client device with respect to related browsing data, wherein user profile and user-level preferences are maintained centrally so that the user can easily return to a visual content element (item 10) and/or constituent component previously viewed by the user on a different client device (item 24), which can maintain a central set of "bookmarks" which refer to specific visual content elements 10 and/or constituent components. The bookmarks can be created on any client device item 24 and accessed from another client device (item 24)), Examiner read the above in content profile including at least one operation and parameter would have been an obvious variant of visual content for display on a client device with respect to related browsing data, wherein user profile and user-level preferences are maintained centrally.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Naylor '648, wherein determining a content profile associated with the device and generating a conditioned document by applying the content profile to a requested document containing content for presentation at the device determining a stylesheet associated with the device; and applying the Stylesheet to the conditioned document to generate an output suitable for presentation at the device, to include a means of said the content profile including at least one operation and parameter for conditioning data on the device of Robotham '024. One of ordinary skill would be motivated to perform such a modification provides users an alternative for representations the same visual content in multiple forms, each form appropriate for client-side rendering on a given class of client devices.

While not as technically challenging as transcoding (as taught by Robotham '024 col2, line 5 through col. 3, line 5).

In regard to dependent claim 2, the retrieved document comprises an extensible mark-up language document (as taught by Jamtgaard '624 at col. 4 lines 10-15, i.e.... the system permits content in a variety of different formats, such as HTML, XML, raw data, etc., to be input into the system and then permits the content to be output in a variety of different output formats and protocols, such as WML, HTML, HDML, XML...).

In regard to dependent claim 3, the steps of determining a schema associated with the device, and generating the conditioned document by applying the content profile and the schema to the requested document (as taught by Jamtgaard '624 at col. 15, lines 35-45, i.e. ...an intelligent navigation scheme...for each different information appliance or wireless device that may have different display capabilities...).

In regard to dependent claim 4, the first applying step is implemented in a content conditioner element of the processing device (as taught by Jamtgaard '624 at col. 14, lines 1-20, i.e. ... To display this website on a display device 15, such as a Palm Pilot or a Windows CE device, the groups and atomics need to be organized and placed on cards that make up the presentation shoe (definition of cads and shoe, see Jamtgaard '624 col. 8, lines 1-25). Cards are created by examining how groups best fit onto the cards. A tree data structure can be generated from the RML object. As described above, nesting groups describe the relational context of content contained in a web page. Thus, the class attribute allows different levels of content to be presented to different classes of devices. For example, the general classes of devices are shown in the following table, but the number of classes may be increased or decreased...).

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In regard to dependent claim 5, a server which stores at least a portion of the requested document (as taught by Jamtgaard '624 at col. 6, lines 30-55, i.e. ... FIG. 4 is diagram illustrating a preferred implementation of the translation server 12 of the content delivery system 10.... The translation server 12 may also include a database 47 that may contain XSL rules used by the XML engine 46 for converting XHTML pages into RML, one or more URL Ids and various device information...).

In regard to dependent claim 6, the second applying step is implemented in an extensible stylesheet language engine element of the processing device (as taught by Jamtgaard '624 at col. 6, lines 35-50, i.e. XSL rules used by the XML engine 46 for converting XHTML pages into RML (Relational Markup Language).

In regard to dependent claim 7, the second applying step is implemented in an extensible Stylesheet language engine element of a server which stores at least a portion of the requested document (as taught by Jamtgaard '624 at col. 6, lines 30-55, i.e. ... FIG. 4 is diagram illustrating a preferred implementation of the translation server 12 of the content delivery system 10.... The translation server 12 may also include a database 47 that may contain XSL rules used by the XML engine 46 for converting XHTML pages into RML, one or more URL Ids and various device information...).

In regard to dependent claim 8, wherein the content profile for a given device comprises one or more operations and corresponding parameters that are required to condition the requested document content for a desired consumption experience at the processing device (as taught by Jamtgaard '624 at col. 6, lines 30-55, i.e. FIG. 4 is diagram illustrating a preferred implementation of the translation server 12 of the content delivery system

10.... The translation server 12 may also include a database 47 that may contain XSL rules used by the XML engine 46 for converting XHTML pages into RML, one or more URL Ids and various device information...).

In regard to dependent claim 9, wherein the content profile comprises a summarization program which specifies a manner in which summarization information derived from the retrieved document is to be presented at the device (as taught by Jamtgaard '624 at col. 2 line 65 through col. 3, line 5, i.e. The intelligent harvesting may convert the content into a proprietary relational markup language (RML) and generate a tree and then a document object model from the RML content. The tree may then be analyzed and searched using a set of processing rules in order to generate content screens customized to each information appliance...).

In regard to dependent claim 10, wherein the content profile specifies a maximum percentage of an amount of original text associated with the requested document that is to be presented at the device (as taught by Jamtgaard '624 at col. 13, lines 19-45, i.e. FIG. 10 is a diagram of the layout engine 42 ... formats a content source for a specific device's screen and inherent capabilities. The layout engine 42 may include the content cutter 72.... cuts all the content of format and content classes not appropriate for the specific device from the received HTML page to ... dynamically devises an optimal layout and navigation structure for the particular device 15... For example, an atomic may be a paragraph of text, a heading, a link to a news story, a picture, etc. Atomics may be grouped together to reveal relationships between them. Groups may be nested to form a complex relational hierarchy. These groups can be placed on cards so that customized presentation pages can be transmitted to a device 15...).

In regard to dependent claim 11, wherein the output is presented in a visually-perceptible manner on a display of the device (as taught by Jamtgaard '624 at col. 13, lines 19-30, i.e. The layout engine 42 may include the content cutter 72.... cuts all the content of format and content classes not appropriate for the specific device from the received HTML page to ... dynamically devises an optimal layout and navigation structure for the particular device 15...).

In regard to dependent claim 12, wherein the output is presented in an audibly-perceptible manner using a speaker associated with the device (as taught by Jamtgaard '624 at col. 4, line 65 through col. 5, line 5, i.e. output WML, HDML, tiny HTML, compact HTML, HTML or XML data that is compatible with the particular information appliance 15. The information appliances 15 may be any type of device including WAP compliant cell phones, Windows CE devices, Palm OS devices, and any other HTML browser based devices...).

In regard to dependent claim 13, wherein the processing device comprises a desktop or portable personal computer (as taught by Jamtgaard '624 at col. 4, line 65 through col. 5, line 5, i.e. output WML, HDML, tiny HTML, compact HTML, HTML or XML data that is compatible with the particular information appliance 15. The information appliances 15 may be any type of device including WAP compliant cell phones, Windows CE devices, Palm OS devices, and any other HTML browser based devices...).

In regard to dependent claim 14, wherein the processing device comprises a personal digital assistant (as taught by Jamtgaard '624 at col. 4, line 65 through col. 5, line 5, i.e. output WML, HDML, tiny HTML, compact HTML, HTML or XML data that is compatible with the particular information appliance 15. The information appliances 15 may be any type of

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device including WAP compliant cell phones, Windows CE devices, Palm OS devices, and any other HTML browser based devices...).

In regard to dependent claim 15, wherein the processing device comprises a wireless telephone (as taught by Jamtgaard '624 at col. 4, line 65 through col. 5, line 5, i.e. output WML, HDML, tiny HTML, compact HTML, HTML or XML data that is compatible with the particular information appliance 15. The information appliances 15 may be any type of device including WAP compliant cell phones, Windows CE devices, Palm OS devices, and any other HTML browser based devices...).

In regard to dependent claim 16, wherein the processing device comprises an Internet-enabled television (as taught by Jamtgaard '624 at col. 4, line 65 through col. 5, line 5, i.e. output WML, HDML, tiny HTML, compact HTML, HTML or XML data that is compatible with the particular information appliance 15. The information appliances 15 may be any type of device including WAP compliant cell phones, Windows CE devices, Palm OS devices, and any other HTML browser based devices...).

In regard to independent claim 17, is directed to an apparatus for performing the method of claims 1 and 5, and is similarly rejected under the same rationale.

In regard to independent claim 18, is directed to a machine-readable storage medium for performing the method of claim 1, and is similarly rejected under the same rationale.

(10) Response to Argument

Brief description of cited prior arts:

Jamtgaard, discloses content delivery that includes: Intelligently harvesting content from a web page to provide that content to a plurality of different information appliances having different display format, screen sizes and different types of content to devices having different input/output utilizing HTML, XML, WML, etc (see Jamtgaard at col. 3 line 65 though col. 4, line 20).

Robotham discloses visual content on a client device using rasterized representations of visual content and transformed into bitmaps compatible with the display attributes of a client device, and transmitted for display on the client device. The server and client coordinate to perform, in effect, as a remote multi-level browsing system for displaying Web pages, e-mail, e-mail attachments, electronic document and forms, database queries and results, is drawings, presentations, and images at the client device wherein each step can have parameters; *different parameters generate different representations* (see Robotham at col. 3. lines 5-15 and col. 4, lines 10-15).

Beginning on page 5 of the appeal brief (hereinafter the brief), Appellant argues the following issues, which are accordingly addressed below.

Appellant argues on pages 5-6 and 8 of the brief that, Jamtgaard in combination with Robotham do not teach “the content profile including at least one operation and parameter for conditioning data on the device” and the Examiner concur on page 4 last

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paragraph of the First Office Action (the same arguments are substantially repeated for independent claims 17 and 18 pending).

The examiner respectfully disagrees. The examiner respectfully notes that Jamtgaard, discloses content delivery that includes: Intelligently harvesting content from a web page to provide that content to a plurality of different information appliances having different display format, screen sizes and different types of content to devices having different input/output utilizing HTML, XML, WML, etc (see Jamtgaard at col. 3 line 65 though col. 4, line 20).

As Applicant's invention discloses in the specification (see specification of Applicant 's invention page 4, lines 4-15), states, "content profile associated with a given device to a requested ...document or other type of content to be processed for presentation at the device. The resulting conditioned document is further processed using a stylesheet associated with the device so as to generate an output suitable for presentation at the device...the content profile may include a summarization program which specifies a manner in which summarization information derived from the retrieved document is to be presented at the device", thus

the Examiner using the broadest interpretation to read the claim in lighted of the specification, wherein the content profile including at least one operation ... for conditioning data on the device, would be an obvious variant of Intelligently harvesting content from a web page to provide that content to a plurality of different information appliances having different display format, screen sizes and different types of content to devices having different input/output utilizing HTML, XML, WML, etc (see Jamtgaard at col. 3 line 65 though col. 4, line 20).

and further more to cure the deficiencies of Jamtgaard (i.e. ... parameter ...), the Examiner introduces Robotham reference, which discloses visual content on a client device using rasterized representations of visual content and transformed into bitmaps compatible with the display attributes of a client device, and transmitted for display on the client device. The server and client coordinate to perform, in effect, as a remote multi-level browsing system for displaying Web pages, e-mail, e-mail attachments, electronic document and forms, database queries and results, is drawings, presentations, and images at the client device, wherein each step can have parameters; *different parameters generate different representations*, but these need not constitute different rendering modes (see Robotham at col. 3. lines 5-15 and col. 4, lines 10-15).

Further more; Appellant argues on pages 5-6 and 8 of the brief Applicant cited that the Examiner concurs on page 4 last paragraph of the First Office Action that Jamtgaard does not teach the content profile including at least one operation and parameter for conditioning data on the device (the same arguments are substantially repeated for independent claims 17 and 18 pending).

The examiner respectfully disagrees. The examiner respectfully notes that on page 4 of the First Office Action, states “Jamtgaard ‘624 *does not explicitly teach*, “ the content profile including at least one operation and parameter for conditioning data on the device, however (Robotham ‘024 at col. 12, lines 49-67)”, Please notes that the Examiner does not concur such feature, but rather means to introduce Robotham reference to cure the limitation “*parameter*”

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(i.e. as cited above Jamtgaard teaches “the content profile including at least one operation ... for conditioning data on the device”, but *does not explicitly teach, “parameter”*, however Robotham discloses visual content on a client device using rasterized representations of visual content and transformed into bitmaps compatible with the display attributes of a client device, and transmitted for display on the client device. The server and client coordinate to perform, in effect, as a remote multi-level browsing system for displaying Web pages, e-mail, e-mail attachments, electronic document and forms, database queries and results, is drawings, presentations, and images at the client device, wherein each step can have parameters; *different parameters generate different representations* (see Robotham at col. 3. lines 5-15 and col. 4, lines 10-15).

Appellant argues on pages 5-6 and 8 of the brief that, Jamtgaard in combination with Robotham do not teach “... at least one ...” as recited in claim 1, is associated with only one device (the same arguments are substantially repeated for independent claims 17 and 18 pending).

The examiner respectfully disagrees. The examiner respectfully notes that on page 10 of 14 Appendix Claims on Appeal states “the content profile including *at least one* operation...” The examiner respectfully noted that *at least one* is not the same with only one, as alleges be the Appellant (see Jamtgaard at col. 3 line 65 though col. 4, line 20, intelligently harvesting content from a web page to provide that content to a plurality of different information

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appliances having different display format, screen sizes and different types of content to devices having different input/output utilizing HTML, XML, WML, etc).

Appellant argues on page 6 and 8 of the brief that, Robotham do not teach or suggest, “conditioning content based on a specific operation of a particular device” (the same arguments are substantially repeated for independent claims 17 and 18 pending).

The examiner respectfully disagrees. The examiner respectfully notes that in response to Appellant 's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., “conditioning content based on a specific operation of a particular device”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Moreover, Robotham discloses visual content on a client device using rasterized representations of visual content and ***transformed into bitmaps compatible with the display attributes of a client device***, and transmitted for display on the client device. The server and client coordinate to perform, in effect, as a remote multi-level browsing system for displaying Web pages, e-mail, e-mail attachments, electronic document and forms, database queries and results, is drawings, presentations, and images at the client device, wherein each step can have parameters; ***different parameters generate different representations*** (see Robotham at col. 3, lines 5-15 and col. 4, lines 10-15).

Appellant argues on pages 7 and 8 of the brief that; “each device has a unique content profile conditioning a requested document in different way. See, for example, Specification, FIGS. 2A and 2B” (the same arguments are substantially repeated for independent claims 17 and 18 pending).

The examiner respectfully disagrees. The examiner respectfully notes that in response to Appellant 's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e. “each device has a unique content profile conditioning a requested document in different way. See, for example, Specification, FIGS. 2A and 2B”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Moreover, Robotham discloses visual content on a client device using rasterized representations of visual content and ***transformed into bitmaps compatible with the display attributes of a client device***, and transmitted for display on the client device. The server and client coordinate to perform, in effect, as a remote multi-level browsing system for displaying Web pages, e-mail, e-mail attachments, electronic document and forms, database queries and results, is drawings, presentations, and images at the client device, wherein each step can have parameters; ***different parameters generate different representations*** (see Robotham at col. 3, lines 5-15 and col. 4, lines 10-15).

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Therefor the Examiner respectfully maintains the rejection of independent claims 1, 17-18 and its dependencies claims 2-16 and should be sustained.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Quoc A. Tran



Conferees:

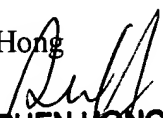
Heather R. Herndon



William L. Bashore


WILLIAM BASHORE
PRIMARY EXAMINER

Stephen S. Hong


STEPHEN HONG
SUPERVISORY PATENT EXAMINER